

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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In the Matter of the Arbitration Between: :
:
WERNER SCHNEIDER, acting in his capacity :
as insolvency administrator of WALTER BAU AG :
(IN LIQUIDATION) : 1:10-cv-2729-RJH
:
Petitioner, :
:
v. :
:
THE KINGDOM OF THAILAND :
:
Respondent. :
:
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**DECLARATION OF DAVID WENGER
IN SUPPORT OF THAILAND'S CROSS-MOTION TO DISMISS PETITION
FOR CONFIRMATION OF A FOREIGN ARBITRAL AWARD**

I, David Wenger, respectfully submit this declaration to identify relevant documents.

1. Exhibit 1 is the Partial Award on Jurisdiction, dated October 5, 2007.
2. Exhibit 2 is the December 13, 1961 Treaty between the Federal Republic of Germany and the Kingdom of Thailand concerning the Promotion and Reciprocal Protection of Investments ("1961 Treaty").
3. Exhibit 3 is the June 24, 2002 Treaty between the Kingdom of Thailand and the Federal Republic of Germany for the Encouragement and Reciprocal Protection of Investments (the "2002 Treaty").
4. Exhibit 4 is Thailand's Post-Hearing Submission, dated August 10, 2007.
5. Exhibit 5 is Walter Bau's ("WB") Post-Hearing Submission, dated August 10, 2007.

6. Exhibit 6 is the Terms of Reference To Arbitration, signed by Thailand on September 4, 2006.
7. Exhibit 7 is Thailand's Memorial on Jurisdiction, dated October 2, 2006.
8. Exhibit 8 is a collection of eight Certificates of Admission issued by Thailand to German investors in Thailand.

Dated: August 17, 2010



David S. Wenger